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10/617,480

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Kazuhito Gassho

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EXAMINER

HANG, VU B

ART UNIT

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/617,480	<b>Applicant(s)</b> GASSHO, KAZUHITO	
	<b>Examiner</b> Vu B. Hang	<b>Art Unit</b> 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 04 August 2008.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>01/28/2005 and 10/01/2007</u> .                               | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

- This office action is responsive to the communication filed on 08/04/2008.
- Claims 1-25 are pending in the application.

### ***Response to Arguments***

1. Applicant's arguments filed 08/04/2008 have been fully considered but they are not persuasive. The applicant argues that the cited prior art Ferlitsch (US Pub. 2002/0089692 A1) fails to disclose or suggest "a notification unit that provides a notification of change in the storage location to the print job submitting device". The examiner disagrees for the following reasons. Ferlitsch discloses redirecting a print task to another device and notifying the user of the destination of the print task (see Fig.12 (580,586,588,590,592,494,596), Fig.13 (610,622,624,626,628,630,632) and paragraphs [0105-0106]). The examiner points out that the user initiates the submission of the print job (see Fig.12 (580,582), Fig.13 (610,612) and paragraph [0105]), and the Status Printing Detecting Print System Component routes the print job to the appropriate printing devices based on the availability of the selected default printing device and the preferred printing the devices (see Fig.12 (584) and Fig.13 (614)). In a situation where a print task is redirected, the redirected print task (print job, image data) is stored at a printing device different from the one originally intended (default printing device) for print execution. The user will be notified of the destination of the redirected print task, as can be seen in Figure 12 (596) and Figure 13 (626,632). Therefore, in the examiner's opinion, Ferlitsch discloses "a notification unit that provides a notification of change in the storage location to the print job submitting device".

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-2 and 4-25 rejected under 35 U.S.C. 102(e) as being anticipated by Ferlitsch (US Pub. 2002/0089692 A1).

4. Regarding **Claim 1**, Ferlitsch discloses a system in which a print job submitting device and a plurality of print devices are connected via network (see Fig. 15 and paragraph [0086]), a print job management system that is disposed corresponding to each of the print devices and manages print jobs (see Fig.16 (822), Fig.17 (842) and paragraphs [0129-0130]), the print job management system comprising: a job storage unit that, when a request to execute a two-way type print job, which is to be executed in connection with a two-way communication between the print job submitting device and the print device, is received from the print job submitting device (see Fig.8, Fig.25, paragraph [0085], paragraph [0087] and paragraph [0147]), stores predetermined data for job control that is different from the print job itself (see Fig. 15, Fig. 16 (810,822), paragraph [0113] and paragraph [0129]); a print job execution unit, that when it is determined that a timing of the priming of the two-way type print job is reached according to the predetermined data, establishes a two-way communication between the print job submitting device and the print device and thereby executes printing (see Fig. 15, Fig. 16 (810,822),

paragraph [0108], paragraphs [0112-0113] and paragraph [0129]); a storage location change unit, when an instruction for moving the print job to another print device is input, changes a storage location of the predetermined data to another print job management system that corresponds to another printing device (see Fig.24 and paragraphs [0142-0143]); and a notification unit that provides a notification of change in the storage location to the print job submitting device (see Fig.12 (580,586,588,590,592,494,596), Fig.13 (610,622,624,626,628,630,632), Fig.15 (700,708), paragraphs [0105-0106] and paragraphs [0113-0114]).

5. Regarding **Claim 2**, Ferlitsch further discloses the storage location change unit moves the predetermined data to another print job management system (see Fig.24 and paragraphs [0142-0143]).

6. Regarding **Claims 4 and 14**, Ferlitsch further discloses the predetermined data comprises a part of data that constitutes the print job (see Fig.15 (684), paragraphs [0112-0113] and paragraph [0120]).

7. Regarding **Claims 5 and 15**, Ferlitsch further discloses a hold instruction that, at the time of receiving the request to execute the two-way type print job, causes the print job submitting device to put the transmission of the print job on hold (see Fig.15, paragraph [0106] and paragraph [0108]).

8. Regarding **Claims 6 and 16**, Ferlitsch further discloses the notification of change includes information that specifies another print device (see Fig. 15 (684), paragraphs [0112-0113] and paragraph [0120]); and information that represents a new storage location of the predetermined data (see Fig. 15, Fig. 16 (810,822), paragraph [0113] and paragraph [0129]).

9. Regarding **Claims 7 and 9-12**, the claims recite limitations that are similar and in the same scope of invention as to those in Claims 1 and 3-6 above and or in combination thereof. Therefore, Claims 7 and 9-12 are rejected for the same rejection rationale/basis as described in Claims 1 and 3-6.

10. Regarding **Claim 8**, Ferlitsch further discloses the information on the change of the storage location includes information specifying the print job submitting device and instruction for changing the storage location (see Fig. 15 and paragraphs [0142-0143]); and wherein by the notification of change, the change notification unit requires the print job submitting device that is specified by the information on the change of the storage location to resubmit the print job (see Fig.15 (700,708) and paragraphs [0142-0143]).

10. Regarding Claim 13, Ferlitsch discloses a print job management system that manages print jobs in a system in which a print job submitting device and a plurality of print devices are connected via a network (see Fig.16 (822), Fig.17 (842) and paragraphs [0129-0130]), wherein a spooler is disposed corresponding to each of the print devices (see Fig. 16 (822), Fig. 17 (842) and paragraphs [0129-0130]); and wherein when a request to execute a two-way type print job, which is to be executed in connection with a two-way communication between the print device and the print job submitting device, is received (see Fig.8, Fig.25, paragraph [0085], paragraph [0087] and paragraph [0147]), the spooler stored predetermined data for job control that is different from the print job itself(see Fig.15, Fig.16 (810,822), paragraph [0113] and paragraph [0129]), the print job management system comprising: a move detection unit that detects the move of predetermined data between the respective spoolers (see Fig.24 and paragraphs [0142-0143]); and a change notification unit that, when the move is detected, provides a notification of

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change in storage location to the print job submitting device (see Fig. 15 (700,708) and paragraphs [0113-0114]).

11. Regarding **Claims 17-19, 21-23 and 25**, the rationale provided for the rejection of Claim 1 is incorporated herein.

12. Regarding **Claims 20 and 24**, the rationale provided for the rejection of Claim 13 is incorporated herein.

***Claim Rejections - 35 USC § 103***

13. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

14. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ferlitsch (US Pub. 2002/0089692 A1).

15. Regarding **Claim 3**, Ferlitsch discloses the print job management system of Claim 1 but fails to expressly disclose the storage change unit deletes the predetermined data and then causes the print job submitting device to resubmit the print job to another print device. Ferlitsch, however, teaches resubmitting the print job to another print device (see Fig.24, paragraph [0120] and paragraphs [0142-143]), and reconfiguring the print task for printing on the printers that the print job is distributed to (see paragraph [0142]). At the time of the invention, it would have been obvious for one skilled in the art to have the storage change unit delete the predetermined data and cause the print job submitting device to resubmit the print job to another print device. The

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motivation would be to delete unnecessary data in the buffer or queue and to create memory space for the next predetermined data to be received.

***Conclusion***

16. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

17. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vu B. Hang whose telephone number is (571)272-0582. The examiner can normally be reached on Monday-Friday, 9:00am - 6:00pm.

19. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K. Moore can be reached on (571) 272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



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20. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Vu B. Hang/  
Examiner, Art Unit 2625

/David K Moore/  
Supervisory Patent Examiner, Art Unit 2625